

DENNIS L. KENNEDY  
Nevada Bar No. 1462  
JOSEPH A. LIEBMAN  
Nevada Bar No. 10125  
JOSHUA P. GILMORE  
Nevada Bar No. 11576  
**BAILEY ♦ KENNEDY**  
8984 Spanish Ridge Avenue  
Las Vegas, Nevada 89148-1302  
Telephone: 702.562.8820  
Facsimile: 702.562.8821  
DKennedy@BaileyKennedy.com  
JLiebman@BaileyKennedy.com  
JGilmore@BaileyKennedy.com

*Attorneys for Defendants/Counterclaimants*

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

ALLSTATE INSURANCE COMPANY,  
ALLSTATE PROPERTY & CASUALTY  
INSURANCE COMPANY, ALLSTATE  
INDEMNITY COMPANY, and ALLSTATE  
FIRE & CASUALTY INSURANCE  
COMPANY,

Plaintiffs,

vs.

MARJORIE BELSKY, MD, MARIO  
TARQUINO, MD, MARJORIE BELSKY, MD,  
INC. doing business as, INTEGRATED PAIN  
SPECIALISTS, and MARIO TARQUINO, MD,  
INC., DOES 1-100 and ROES 101-200,

Defendants.

AND RELATED CLAIMS.

Case No. 2:15-cv-02265-MMD-CWH

**STIPULATION AND ORDER TO  
CONTINUE DEADLINE FOR FILING  
JOINT STATUS REPORT**

1 Plaintiffs/Counterdefendants ALLSTATE INSURANCE COMPANY, ALLSTATE  
2 PROPERTY & CASUALTY INSURANCE COMPANY, ALLSTATE INDEMNITY COMPANY,  
3 and ALLSTATE FIRE & CASUALTY INSURANCE COMPANY (collectively, the “Allstate  
4 Parties”), and Defendants/Counterclaimants MARJORIE BELSKY, M.D., MARIO TARQUINO,  
5 M.D., MARJORIE BELSKY, M.D., INC. d/b/a INTEGRATED PAIN SPECIALISTS, and MARIO  
6 TARQUINO, M.D., INC. (collectively, the “Belsky/Tarquino Parties”), by and through their  
7 respective attorneys of record, stipulate and agree as follows:

8 1. On January 17, 2018, Todd Baxter, Esq. (counsel for the Allstate Parties) and Joshua  
9 P. Gilmore, Esq. (counsel for the Belsky/Tarquino Parties) participated in a telephonic meet and  
10 confer (lasting approximately 1.5 hours) regarding the Allstate Parties’ supplemental discovery  
11 responses in the matter entitled *Allstate Insurance Co., et al. v. Russell J. Shah, M.D., et al.*, United  
12 States District Court, District of Nevada, Case No. 2:15-cv-01786-APG-CWH (the “Shah Matter”).  
13 Messrs. Baxter and Gilmore agreed to conduct an additional telephonic meet and confer on January  
14 19, 2018;

15 2. On January 18, 2018, Mr. Gilmore sent an email to Mr. Baxter identifying items to be  
16 discussed during a telephonic meet and confer related to the Allstate Parties’ supplemental discovery  
17 responses in this matter, some of which overlapped with the items already discussed during the  
18 January 17, 2018 telephonic meet and confer in the Shah Matter;

19 3. Due to unanticipated scheduling conflicts, and in order to allow sufficient time for  
20 Mr. Baxter to review Mr. Gilmore’s January 18, 2018 email, Messrs. Gilmore and Baxter  
21 rescheduled their January 19, 2018 telephonic meet and confer to January 24, 2018;

22 4. Pursuant to the December 28, 2017 Minute Order [ECF No. 255], the parties have  
23 until today to file a Joint Status Report indicating whether any dispute remains regarding the Allstate  
24 Parties’ supplemental discovery responses and, if so, setting forth the parties’ respective positions  
25 (subject to further briefing as may be requested by the Court);

26 5. For efficiency’s sake, and due to the overlap in discovery requests and responses  
27 between this matter and the Shah Matter, the parties shall have until January 26, 2018 to file a Joint  
28

Status Report in this matter related to the Allstate Parties' supplemental discovery responses. The parties will thereafter appear for a status hearing as may be requested by the Court;

6. The parties do not anticipate any further requests for extending the deadline to file the Joint Status Report in this matter; and

7. Consistent with prior Stipulations, the parties request that the Court reserve any ruling on sanctions.

IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

DATED this 22<sup>nd</sup> day of January, 2018.

DATED this 22<sup>nd</sup> day of January, 2018.

McCORMICK, BARSTOW, SHEPPARD,  
WAYTE & CARRUTH LLP

BAILEY ♦ KENNEDY

By: /s/ Todd W. Baxter  
DYLAN P. TODD  
TODD W. BAXTER  
8337 West Sunset Road, Suite 350  
Las Vegas, NV 89113

By: /s/ Joshua P. Gilmore  
DENNIS L. KENNEDY  
JOSEPH A. LIEBMAN  
JOSHUA P. GILMORE  
8984 Spanish Ridge Avenue  
Las Vegas, NV 89148

*Attorneys for Defendants/Counterclaimants*

ERON Z. CANNON  
FAIN ANDERSON VANDERHOEF  
ROSENDAHL O'HALLORAN  
SPILLANE PLLC  
701 Fifth Avenue, Suite 4750  
Seattle, WA 98104

*Attorneys for Plaintiffs/Counterdefendants*

**IT IS SO ORDERED.**

  
UNITED STATES MAGISTRATE JUDGE

DATED: January 23, 2018